

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

AMBER S. McKIVIGAN,	:
Administratrix of the Estate of	:
Ronald McKivigan,	:
Plaintiff,	: Case No. 3:16-cv-248-KRG-KAP
v.	:
S.C.I. HOUTZDALE, et al.,	:
Defendants	:

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on June 19, 2017, ECF no. 28, recommending that the portions of defendants' motion to dismiss at ECF no. 21 that were not rendered moot by plaintiff's withdrawal of certain claims be denied.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections. No objections were filed and the time to do so has expired.

After review of the record and the Report and Recommendation, and noting the lack of timely objections thereto, the following order is entered:

AND NOW, this 28th day of March, 2018, it is

ORDERED that the remaining portions of defendants' motion to dismiss, ECF no. 21, are denied. The Report and Recommendation at ECF no. 28 is adopted as the opinion of the Court.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF